

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, MARCH 31, 2005
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Melissa Koci, County Clerk's Office

Commissioner Hudkins opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, MARCH 24, 2005

MOTION: Stevens moved and Schorr seconded approval of the staff meeting minutes of Tuesday, March 24, 2005 with the following correction to Item 15b on Page 9: The amount should be \$53,000. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Microcomputer Requests from the County Attorney (C#2005097) and Sue Eckley (C#2005094)
- B. ICCU Contract and Memorandum of Understanding

MOTION: Heier moved and Stevens seconded approval of the additions to the agenda. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Microcomputer Requests from the County Attorney and Sue Eckley

Kerry Eagan, Chief Administrative Officer, distributed documentation regarding both microcomputer requests from the County Attorney and Sue Eckley and said they are in need of upgrades on two computers (Exhibit C). He said the monies would come out of the Microcomputer Fund.

MOTION: Workman moved and Heier seconded approval of the 2 computers and for the monies to come out of the Microcomputer Fund. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

B. ICCU Contract and Memorandum of Understanding

Commissioner Schorr reported she had a conversation with Artie Korver regarding the transition of ICCU to Region V. During the transition time they would like to set up a three person governing panel with one vote for each of the entities should any disputes or disagreements arise during the transition. Schorr said she received a copy of the contract and memorandum of understanding and gave it to the County Attorney for their review.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, appeared and presented a legislative update (Exhibit A). He said LB 9, which allow administrative approval of final plats, was signed on March 25th. Kissel also noted LB 551, which changes provisions relating to behavioral health, was advanced to Select File. Also adopted was an amendment to LB 551, which was originally LB 618 and LB 534. He said LB 618 provides for the tracking, reporting and funding relating to behavioral health services.

Hudkins asked about wireless communications.

Kissel said the telecommunications industry wants to ban the provision of telecommunications through public power infrastructure. He said some Senators are for the ban and some are opposing it, however the telecommunications industry does not want public sector competition.

Schorr asked about LB 312 which is regarding Economic Development.

Kissel noted a draft was made, however the business community does not like the draft and they are still negotiating. He said some of the issues are qualifying, what will be available and want kind of investments there will be.

4 TRANSFER OF LAND TO VILLAGE OF DAVEY FOR ROADWAY - Larry Worrell, County Surveyor

Larry Worrell, County Surveyor, appeared and distributed a map regarding transferring land to the Village of Davey for a roadway (Exhibit B). Worrell said the land was deeded to Lancaster County 40 years ago and has always been used as a road. The property should be conveyed to the Village of Davey for road use and so that Lancaster County would not have potential liability. He also noted the item will go on next Tuesday's agenda.

5 (A) PUBLIC DEFENDER ANNUAL REPORT; AND (B) INDIGENT DEFENSE ADVISORY COMMITTEE RECOMMENDATION REGARDING JUVENILE COURT CONTRACTS - Dennis Keefe, Public Defender

Dennis Keefe, Public Defender, appeared and distributed the 2004 Annual Report of the Lancaster County Public Defender (Exhibit D). He briefly went over the report and indicated felonies have increased 80% in 10 years and misdemeanors have increased 15%.

Keefe indicated the current Child Support Paternity Contract does not expire until June of 2006, however he believes his office can take over the cases and the money saved from the contract, which is \$68,000, can go somewhere more important in his budget. Keefe also noted when the Legislature and Supreme Court create new laws, it impacts his office tremendously.

Judge Tom Dawson appeared and noted since the Legislature changed the age that a child has to go to school to 18, he has seen more Juvenile Court cases, which also impacts the Public Defender's Office, because the cases are staying open longer.

Keefe also distributed documentation regarding the Legal Services Contracts (Exhibit E). He said he would like to start the process of hiring 2 additional contractors who could accept an additional 50 new abuse/neglect cases per contract year up to a maximum of 120 active pending cases and would be limited to only abuse/neglect cases. He said for the first year compensation should be set at \$24,000; second year at \$48,000; and the third and subsequent years at \$72,000.

MOTION: Stevens moved and Workman seconded to authorize the Public Defender to start the contract negotiation process for the legal contracts. Schorr, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

6 (A) FINAL PLAT NO. 05007, COUPE DEVILLE HEIGHTS 1ST ADDITION, N.W. 84TH STREET AND W. BLUFF ROAD; AND (B) SPECIAL PERMIT NO. 05006, HISTORIC DESIGNATION OF KRULL HOUSE, 17800 S.W. 72ND STREET - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, appeared and distributed documentation regarding Final Plat No. 05007 (Exhibit F). He briefed the Board on the Final Plat, which divides one large outlot into three separate outlots and the outlots being created will be sold to the adjacent property owners.

Ed Zimmer, Planning Department, appeared and reported Special Permit No. 05006 is regarding making a historic designation of the Krull house located at 17800 S.W. 72nd Street. Zimmer said the applicant wants to start the process of recognizing it as a historic place and provide an opportunity in the future if the landowners choose to sell it to him, however he is not making any purchases at this time. Zimmer said the special permit also includes creating a parcel accompanying the house of approximately 10 acres for historic preservation.

7 RURAL TRANSIT UPDATE - June Pederson, Aging Services Director; Wayne McClerron, Rural Transit Manager

Wayne McClerron, Rural Transit Manager, appeared and distributed a Factsheet, a History Sheet and the Rural Transit's Budget (Exhibit G). He briefly discussed the boardings, miles and cost of both for the last 5 years, along with this year's projections. McClerron indicated the Lincoln Area Agency on Aging provides van transportation for all persons residing in rural Lancaster County and selected communities outside of Lancaster County for \$1.50 for a one-way trip.

Heier asked about the number of different people riding the van and if they are the same passengers.

McClerron said last year there were 35 different passengers and so far this year they have 65 unduplicated passengers. He said they have been utilizing Rural Transit in the rural Senior Centers more often and he plans on talking with the Village Boards to let them know more about the program.

Workman inquired about asking for donations.

McClerron reported he drove the van one day and asked the passengers a few questions about the program and costs and the majority of them said they would hate to see the program go.

June Pederson, Aging Services Director, appeared and distributed documentation regarding an Independent Transportation Network (Exhibit H). She said ITN is a community-based, non-profit transportation alternative that uses cars and both paid and volunteer drivers to transport people where they need to go 24 hours a day, 7 days a week. Pederson noted the Lincoln Area on Aging is currently studying the advantages of working with the Seniors Foundation to bring the ITN program to Lincoln. She said the seniors join, open an account and ride to specific places like church, banks, libraries, airports and all they pay is a membership fee.

8 HUB UPDATE - Dwight Brown, Jr., HUB Director

Dwight Brown, Jr., HUB Director, appeared and introduced his assistant, Kim Bro, AmeriCorp Outreach Specialist. He distributed a pamphlet, a newspaper article and an update regarding The Hub (Exhibit I) and said they had an open house on January 27, 2005 to promote their services in assisting transitional youth. Brown, Jr. noted HUB gives youth 16-24 a central point for gaining access to services in five areas: housing, employment, education, health care and mental health.

Brown, Jr. also noted since October 2004, the HUB has served 108 unduplicated youth, 61 of which were females, 47 were males and most of the issues are about housing and employment.

Schorr asked about the funding resources.

Brown, Jr. reported they are funded primarily through the Nebraska Crime Commission, however they received some money from Lancaster County along with some smaller grants.

Hudkins exited the meeting at 11:05 a.m.

9 BUDGET UPDATE (GENERAL ASSISTANCE, VETERANS SERVICES, PROPERTY MANAGEMENT) - Gary Chalupa, Veterans Affairs, General Assistance Administrator; Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, appeared and distributed documentation regarding a budget update on General Assistance, Veterans Services and Property Management (Exhibit J). Kroeker said the Veterans Office will need an additional \$77,620 and \$1,100,000 of old bills still need to be paid, along with an estimated \$297,500 of new bills. Kroeker noted a public hearing needs to be set to transfer appropriations in the amount of \$1,077,620. Kroeker also said Property Management indicated the Community Mental Health Project will run about \$17,000 short and the Old Attention Center will be \$30,000 short for the demolition work.

Gary Chalupa, Veterans Officer, appeared and indicated the reason for the shortage and amount owed is because of the backlog of the bills.

Eagan said some of the clients have not been approved for Social Security yet and if the medical bills were paid before they were approved, the County may not get reimbursed.

Kroeker noted the current pharmacy costs have been reduced by 25%.

Chalupa said changes have been made to the General Assistance Guidelines, but the current changes have not had a chance to kick in yet. He said something needs to be done about who the County will stop helping and who will be eliminated from the programs.

Kroeker noted a resolution needs to be drawn up which transfers \$1,077,620 from the Contingency Fund to the General Assistance and Veterans Services budgets.

10 PENDING LITIGATION - Doug Cyr, Chief Deputy County Attorney

MOTION: Stevens moved and Workman seconded to enter into Executive Session at 11:29 a.m. for pending litigation and labor negotiations. Workman, Stevens, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

MOTION: Stevens moved and Workman seconded to exit Executive Session at 12:03 p.m. Workman, Stevens, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

12 ACTION ITEMS

- a. Topics for Monthly Meeting with Mayor (City Funding for Youth Assessment Center)

Eagan indicated Heier questioned whether or not the City was going to fund the Interlocal Agreement with them which provides \$50,000 from the City to help run the Youth Assessment Center. He said the contract is a one year contract and does not have the option to renew. Eagan suggested speaking with the Mayor to see if the contract is still in effect and if they are paying their share.

Hudkins noted he would like the Board to speak with the Mayor about the new parking lot and it costing actually \$43 a square foot and not \$36 a square foot, which is what he estimated.

Heier wants to know where the annexing and change of zone process is regarding the Agricultural Society and property at 84th and Holdrege.

- b. Payroll Insert for April 7, 2005 (April Wellness Newsletter)

MOTION: Schorr moved and Workman seconded to allow the payroll insert. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

14 ADMINISTRATIVE OFFICER REPORT

- A. Pension Review Committee Report and Recommendations

Eagan reported the Pension Review Committee recommended to the Board that they do the following:

- Amend the investment policy to reflect the reporting and monitoring procedures utilized by Nationwide Retirement Solutions;
- Eliminate Morningstar Guidance due to lack of usage, but negotiate with Nationwide Retirement Solutions for suitable replacement services or other consideration;

- Amend the County Employee's Pension Plan to provide for mandatory payout of inactive participant accounts of \$1,000 or less;
- All default investments for employees who fail to designate investments should be placed in the fixed account.

The Board agreed with the recommendations regarding the amendment of the investment policy elimination of Morningstar and decided to wait on establishing a policy for use of revenue sharing funds. In lieu of mandatory distribution of accounts of \$1,000 or less, the Board decided one letter would be sent to the employees who have terminated their employment with Lancaster County, letting them know that they have money in the pension plan which can either be rolled over to another tax deferred account, withdrawn with a 10% penalty or left in place.

B. Updated Summary Plan Booklet for Pension

Eagan reported the Summary Plan Booklet for pension is ready to go except for one provision which was made to Page 6 - "If an employee fails to designate investment preferences, all funds for that employee will be placed in suitable and prudent investments" will be changed to "placed into the fixed account". Eagan said he will send the summary plan to Nationwide outlining the changes.

C. Purchase of Surplus State Land (N.W. 27th Street and Hwy 34)

Eagan indicated Jim Burden wants the County Board to proceed with vacating the land at N.W. 27th Street and Hwy 34, which is next to the right-of-way and is surplus. In order for the County to proceed they would have to buy the State's portion, which is \$3,400.

Workman believes the Board needs to get a written commitment from Burden that he is going to purchase the property.

Eagan said he would speak with Todd Wick at the State to see if Burden can purchase the land directly from the State.

D. Meeting with Health and Human Services Re: Contract with Youth Services Center

Eagan indicated a letter was sent to Health and Human Services (HHS) regarding termination of the Youth Services contract, but they first wanted to negotiate with HHS to amend the contract. He said a good process for contacting them to negotiate was not set up and the numbers are still going up.

The Board agreed to put this item back on the staff agenda in a few weeks.

- E. 2005 Outstanding Public Administrator Award for Dave Kroeker (Thursday, April 28, 2005)

The Board agreed to have a staff meeting on April 26, 2005 at 10:00 a.m. and their regular staff meeting on April 28, 2005 until 10:00 a.m., if needed, so they can attend the Award Ceremony for Dave Kroeker.

- F. Appointment to Community Mental Health Advisory Committee (Deputy Ben Houchin)

Eagan indicated Ben Houchin is replacing Bill Coleman on the Community Mental Health Advisory Committee and the appointment will go on next Tuesday's agenda.

- G. Letter Re: Delayed Installation of Address Signs

Eagan reported some mistakes were made with the review and changing of rural addresses and it was suggested to him by the County Engineer that a letter should be sent out letting the residents know that the signs will be done and in place by the end of April. There was some concern from some residents on when they were going to get their signs. The Board took no action.

16 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster Manor Advisory Committee - Heier

Heier did not attend the meeting.

- B. Officials Committee - Schorr, Hudkins

Schorr reported there was some discussion regarding the Southeast Nebraska Regional Intelligent Transportation Systems (ITS) Architecture Plan. The \$26,000 County contribution is in the County Engineer's budget. She said they also approved a few locations for some trails.

- C. F³ Conveners - Schorr

Schorr did not attend the meeting.

- D. LIBA Monthly Meeting - Workman, Hudkins

Workman reported LIBA would like to see more cooperation with the City regarding event funding and the lodging tax.

E. Youth Services Center Advisory Board - Heier

Heier did not attend the meeting.

18 ADJOURNMENT

MOTION: Stevens moved and Heier seconded to adjourn the meeting at 12:47 p.m. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk